

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

JAMES D'CRUZ, NATIONAL RIFLE  
ASSOCIATION OF AMERICA, INC.,

Plaintiffs,

v.

STEVEN MCCRAW, in his official capacity as  
Director of the Texas Department of Public  
Safety, ALLAN B. POLUNSKY, in his official  
capacity as Chairman of the Texas Public Safety  
Commission, CARIN MARCY BARTH, in her  
official capacity as a Member of the Texas  
Public Safety Commission, ADA BROWN, in  
her official capacity as a Member of the Texas  
Public Safety Commission, JOHN STEEN, in his  
official capacity as a Member of the Texas  
Public Safety Commission, C. TOM CLOWE,  
JR., in his official capacity as a Member of the  
Texas Public Safety Commission,

Defendants.

CASE NO: 5:10-cv-00141-C

**UNOPPOSED MOTION TO WITHDRAW APPLICATION OF AMICI CURIAE BRADY  
CENTER TO PREVENT GUN VIOLENCE, MOTHERS AGAINST TEEN VIOLENCE,  
AND TEXAS CHAPTERS OF THE BRADY CAMPAIGN TO PREVENT GUN  
VIOLENCE TO FILE AN AMICUS BRIEF IN SUPPORT OF DEFENDANTS' MOTION  
TO DISMISS**

In light of the fact that defendants have not moved to dismiss Plaintiffs' Amended Complaint and have instead requested additional time to respond to the Amended Complaint, the Brady Center to Prevent Gun Violence, Mothers Against Teen Violence, and Texas Chapters of the Brady Campaign to Prevent Gun Violence, through undersigned counsel, move to withdraw their application for leave to file a brief as *amici curiae*. The Brady Center to Prevent Gun Violence, Mothers Against Teen Violence, and Texas Chapters of the Brady Campaign to Prevent Gun Violence intend to seek leave to file a brief as *amici curiae* at such time that

plaintiffs or defendants file a dispositive motion with the court.

Counsel for Plaintiffs and Defendants have consented to this motion.

Dated: November 18, 2010

Respectfully submitted,

/s/ Scott Medlock

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 18, 2010, I filed this Motion through the Court's CF/ECF system, which will electronically serve this document on both Plaintiffs' and Defendants' attorneys as follows:

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\_\_\_\_\_  
/s/ Scott Medlock  
Scott Medlock (Texas Bar No. 24044783)

**CERTIFICATE OF CONFERENCE**

I hereby certify that on November 18, 2010, I conferenced with both Plaintiffs' and Defendants' counsel, who both stated that they consent to this motion.

/s/ Scott Medlock  
Scott Medlock (Texas Bar No. 24044783)

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Defendants.

CASE NO: 5:10-cv-00141-C

**ORDER GRANTING UNOPPOSED MOTION TO WITHDRAW APPLICATION OF  
AMICI CURIAE BRADY CENTER TO PREVENT GUN VIOLENCE, MOTHERS  
AGAINST TEEN VIOLENCE, AND TEXAS CHAPTERS OF THE BRADY CAMPAIGN  
TO PREVENT GUN VIOLENCE TO FILE AN AMICUS BRIEF IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS**

On the Motion to Withdraw Application of *Amici Curiae* Brady Center to Prevent Gun  
Violence, Mothers Against Teen Violence, and Texas Chapters of the Brady Campaign to  
Prevent Gun Violence to File an *Amicus* Brief In Support of Defendants' Motion to Dismiss, the  
Court having read the motion and pleadings on file, the Court is of the opinion that the motion is  
meritorious and should be **GRANTED**.

It is therefore **ORDERED** that the motion is hereby withdrawn.

Dated: November \_\_\_\_, 2010.

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SAM CUMMINGS  
UNITED STATES DISTRICT JUDGE